IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.7303 OF 2005

Shivaji Dhondiba Kamthe : Petitioner

V/s.

Dhanaji Dhondiba Kamthe & Ors. : Respondents

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Mr.U.P.Warunjikar for the petitioner.

None present for the respondents.

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CORAM : S.A. BOBDE, J.

October 21, 2005.

P.C.:

1. The petitioner has challenged the order of the Addl. Commissioner, Pune Division, Pune, dated 27.6.2005. By the impugned order, the Addl. Commissioner has dismissed the petitioner's revision against the order of the Addl. Collector in RTS proceedings. The Addl. Collector, by his order dated 8.8.2003, has reversed the order of the Special Land Acquisition Officer dated 16.12.2002. This order dated 16.12.2002 cancelled mutation entry nos.923 and 1145 after more than 25 years. The learned Addl. Commissioner has rightly observed that the petitioner's contention that he was in military service is of no

consequence since the other legal heirs were not in military service. Having regard to the fact that a civil suit is pending between the parties, the Addl. Commissioner has, in my view, rightly dismissed the petitioner's revision. There is no case made out for interference.

2. The Writ Petition is dismissed.

S.A. BOBDE, J.